

Remarks

Claims 1-10 and 46 are currently pending in the present application. No claims have been amended, no claims have been cancelled, and no claims have been added. In view of the following Remarks, allowance of all the pending claims is respectfully requested.

Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1, 4-10 and 46 under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,778,187 to Monteiro et al. ("Monteiro"). Applicants traverse this rejection for at least the reason that Monteiro does not disclose each and every feature of the claimed invention.

For example, claim 1 recites: *"a turnstile installed at and associated with each of the plurality of participants, each turnstile logically connected to one of said plurality of participant managers in said hierarchy based on an association between the turnstile and one or more characteristics of the network communication system."* The Examiner alleges that Monteiro discloses these features at col. 13, ll. 9-11 and col. 14, ll. 34-44. See Office Action Mailed Aug. 22, 2007 ("Aug. 2007 Office Action") pg. 3. The Examiner appears to allege that the "media server" of Monteiro is equivalent to the participant manager of the claimed invention. The Examiner also appears to allege that the "user software" of Monteiro is equivalent to the turnstile of the claimed invention. However, assuming that these associations are correct, which Applicants do not concede, the Examiner has failed to show that the user software of Monteiro is *"logically connected to"* a media server *"based on an association between"* the user software *"and one or more characteristics of the network communication system."*

The user software of Monteiro appears to be connected to a certain media server when that media server is on top of a list of media servers provided to the user software by a control server. See Monteiro, col. 14, ll. 40-44 ("the User software initiates a TCP connection to the first Media Server on the list...if unsuccessful [it] tries the next hosts in succession."). The particular control server providing the list to the user is itself selected for connection to the user by virtue of being the first in a particular list. See Monteiro, col. 14, ll. 24-27 ("The User software

then searches the list of Control servers and opens a TCP connection to the first host listed. If that host computer does not respond, then the next Control Server on the list is tested and so forth in succession.”). As such, the associations between user software (the alleged turnstile) and media servers (the alleged participant managers) is essentially arbitrary. While both the list of control servers and the list of media servers may be referred to as “sorted” lists, Monteiro give no indication as to any criteria that is used to sort such lists. Therefore, the connection between user software and media servers in Monteiro cannot be said to be “*based on an association between*” the user software “*and one or more characteristics of the network communication system,*” as recited in claim 1.

For at least this reason, Monteiro fails to disclose each and every feature of claim 1. Therefore, the rejection thereto is improper and must be withdrawn. Claims 4-10 and 46 each depend from and add features to claim 1. Therefore, for at least the reasons set forth above with regard to claim 1, the rejections to claims 4-10 and 46 are likewise improper and must be withdrawn.

Claim 5 further recites: “*wherein said turnstile determines whether said ticket is valid.*” The Examiner alleges that Monteiro discloses these features at col. 13, ll. 27-36. As discussed above, the Examiner has apparently equated the user software of Monteiro to the turnstile of the claimed invention. However, assuming, *arguendo*, that this equation of elements is proper, the portion of Monteiro relied upon by the Examiner explicitly indicates that the Administration Server, not the user software, makes validity determinations regarding user information. Thus, the Examiner has failed to show that the above quoted features of claim 5 are disclosed by Monteiro and the rejection thereto must be withdrawn.

Claim 6 further recites: “*wherein said turnstile forwards a valid ticket to said connected participant manager for authentication.*” The Examiner alleges that Monteiro discloses these features at col. 9, ll. 34-40. This portion of Monteiro appears to relate to a Media Control Interface (MCI) Request Object which mentions a “security token object” in its description. The Examiner apparently equates the security token object to the ticket of claim 6. However, Applicants note that this interpretation conflicts with the Examiner’s previous interpretation of the various elements of Monteiro in claim 5 (in which the Examiner apparently equated a “user object” with a ticket). As claim 6 depends from claim 5, the Examiner is bound

during examination of claim 6 by interpretations made with respect to claim 5. This conflicting interpretation renders the Examiner's rejection of claim 6 improper. Thus, it must be withdrawn.

Furthermore, regardless of the conflicting interpretation discussed above, Monteiro explicitly contradicts the interpretation that the media server (which the Examiner equates as the participant manager of the claimed invention) validates or authenticates the security token object. See, for example, Monteiro, col. 15, ll. 14-27, wherein it is stated that the "Authentication Server is the only server that can validate a security token" (emphasis added). Thus, the media server (purported participant manager) of Monteiro cannot authenticate the security token object. For at least these reasons, the Examiner has failed to show that Monteiro discloses all of the features of claim 6. Thus the rejection thereto is improper and must be withdrawn. Claim 7, depends from and adds features to claim 6. Therefore, the rejections thereto is likewise improper and must be withdrawn.

Claim 9 recites: "*wherein said turnstile prevents said associated participant from receiving the event until a ticket associated with the event is authenticated.*" Claim 10 recites: "*wherein said turnstile prevents said associated participant from receiving the event until a ticket associated with the event is determined to have been provided to said associated participant.*" In both claims 9 and 10 the turnstile is preventing its associated participant from receiving the event. The Examiner alleges that Monteiro discloses the features of both claims 9 and 10 at col. 13, l. 64 to col. 14, l. 4. However, this portion of Monteiro appears to relate to user software retrieving a security token from an administration server each time the user wants to receive information from the system. This portion does not relate to the user software (the purported turnstile of the claimed invention) preventing a user from participating in an event. Furthermore, Monteiro explicitly describes its "Control Servers" not its user software as "responsible...for directing the Media Servers to start and stop streams of information to ...users." As such, the Examiner has not shown that Monteiro discloses the above quoted features of claims 9 and 10. Therefore, the rejections thereto are improper and must be withdrawn.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 2 and 3 35 U.S.C. §103(a) as allegedly

being unpatentable over Monteiro in view of U.S. Patent No. 6,308,208 to Jung et al. ("Jung"). Applicants traverse this rejection for at least the reason that the Examiner has failed to show that the references relies upon teach or suggest all of the features of the claimed invention.

For example, as discussed above, Monteiro does not disclose each and every feature of claim 1. Jung fails to cure the deficiencies of Monteiro. Claims 2 and 3 each depend from and add features to claim 1. Therefore, the combination of Monteiro and Jung, either alone or in combination, fail to disclose, teach, or suggest all of the features of claims 2 and 3 and the rejections thereto must be withdrawn.

Conclusion

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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